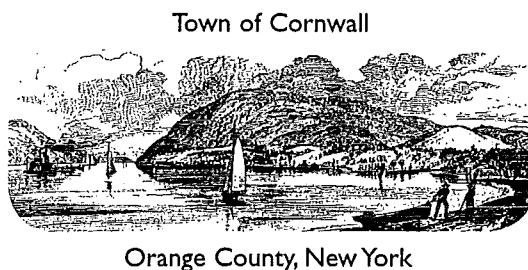


Town Hall  
183 Main Street  
Cornwall, NY 12518  
(845) 534-3760  
fax: (845) 534-4342



Office of the Supervisor  
Kevin Quigley  
Town Supervisor

**AGENDA**  
**Cornwall Town Board**  
Regular Meeting – Monday, February 11, 2013  
7:30 pm

7:15 P.M.      Public Hearing – Tax Bill Enclosures

Pledge of Allegiance

Approval of Minutes – January 14, 2013 Regular Meeting; February 5, 2013 Special Meeting

Public Comment Agenda Items

1. Resolution – Adopt Local Law – Tax Bill Enclosures
2. Resolution – 2 Mill Street
3. Resolution – Receiver of Taxes Undertaking
4. Resolution – Towing License
5. Resolution – Towing Applications
6. Resolution – Hudson Valley Greenway Act
7. Resolution – Second Amendment
8. Resolution – Foreclosure Bills
9. Resolution – Plea Bargains Traffic Tickets
10. Resolution – Tax Certiorari Settlement Agreements
11. Resolution – CSEA Memorandum of Agreement
12. Vehicle Purchase – Police Department
13. Declare Vehicle Surplus – Police Department
14. Town Hall Generator Modifications
15. Records Management Grants
16. Cornwall Garden Club – Annual Plant Sale
17. Cornwall Garden Club – Arbor Day – Tree Planting
18. Riverview Run for Parkinson's Research 5K and 10K Race
19. 2012 Budget Adjustments
20. Association of Towns – Per Diem
21. Personnel:
  - Training: Police Department – PESH Inspection
  - Supervisor's Office – GFOA Conference

Committee Reports  
Warrant #2  
Public Comment  
Adjournment

WHEREAS, the Town Board is considering the adoption of a local law entitled: A local law to amend Town Code Chapter 132 by adding "ARTICLE VII. TAX BILL ENCLOSURES", and

WHEREAS, following due notice the Town Board held a public hearing on the proposed local law,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby adopt the above local law which said local law shall be effective upon publication, posting and filing in the Office of the Secretary of State in Albany.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

## Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village  
(Select one:)

of CORNWALL

Local Law No. 3 of the year 20<sup>13</sup>

A local law to amend Town Code Chapter 132 by adding "ARTICLE VII. TAX BILL ENCLOSURES"  
(Insert Title)

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village  
(Select one:)

of CORNWALL

as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2013 of the (County)(City)(Town)(Village) of CORNWALL was duly passed by the TOWN BOARD on February 11, 2013, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) \_\_\_\_\_  
(Name of Legislative Body)  
(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted  
(Elective Chief Executive Officer\*)  
on 2000, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) \_\_\_\_\_  
(Name of Legislative Body)  
(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
(Elective Chief Executive Officer\*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) \_\_\_\_\_  
(Name of Legislative Body)  
(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local  
(Elective Chief Executive Officer\*)  
law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body  
Renata McGee, Town Clerk

Date: \_\_\_\_\_ February \_\_\_\_\_, 2013

(Seal)

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF ORANGE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature  
STEPHEN J. GABA, ATTORNEY

Title

County  
City of CORNWALL  
Town \_\_\_\_\_  
Village \_\_\_\_\_

Date: \_\_\_\_\_ February \_\_\_\_\_, 2013

**PROPERTY MAINTENANCE RESOLUTION**

WHEREAS, the Town Board of the Town of Cornwall, has commenced property maintenance violation proceedings under Town Code Chapter 115 against Cornwall Warehousing, Inc., in regard to certain premises located at 2 Mill Street, Cornwall, New York, and

WHEREAS, on January 14, 2013, the Town Board issued an Order under Town Code §115-7 directing Cornwall Warehousing, Inc., to commence work to remedy the violation at the said property no later than February 14, 2013, with work to be completed within sixty (60) days thereafter, and

WHEREAS, the said Order along with a Notice of Violation was duly served upon Cornwall Warehousing, Inc., and

WHEREAS, on February 4, 2012, the Village Board held a hearing on the said Order and Notice of Violation, of which Cornwall Warehousing, Inc., was given due notice and an opportunity to be heard,

NOW, THEREFORE, the Town Board hereby resolves as follows:

1. THAT the Town Board hereby confirms the said Order under Town Code §115-7; and
2. THAT the Town's attorneys are directed to prepare the necessary papers for a lawsuit to be commenced against Cornwall Warehousing, Inc., in New York State Supreme Court seeking an injunction, civil penalties and recovery of expenses,

with such suit to be commenced in the event that Cornwall Warehousing, Inc., fails to commence work to remedy the violation at the said property on or before February 14, 2013; and

3. THAT, in the event that Cornwall Warehousing, Inc., fails to commence work to remedy the violation at the said property on or before February 14, 2013, the Town Supervisor is hereby directed and requested to confer with the Town's engineering consultants regarding the cost of having the Town undertake demolition and clean-up work on the said property and to report back to the Town Board regarding such cost and the Town's financing options should the Town decide to undertake the work.

\_\_\_\_\_ presented the foregoing resolution which was seconded by

\_\_\_\_\_,'

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

**PROPERTY MAINTENANCE RESOLUTION**  
[Alternative Version]

WHEREAS, the Town Board of the Town of Cornwall, has commenced property maintenance violation proceedings under Town Code Chapter 115 against Cornwall Warehousing, Inc., in regard to certain premises located at 2 Mill Street, Cornwall, New York, and

WHEREAS, on January 14, 2013, the Town Board issued an Order under Town Code §115-7 directing Cornwall Warehousing, Inc., to commence work to remedy the violation at the said property no later than February 14, 2013, with work to be completed within sixty (60) days thereafter, and

WHEREAS, the said Order along with a Notice of Violation was duly served upon Cornwall Warehousing, Inc., and

WHEREAS, on February 4, 2012, the Village Board held a hearing on the said Order and Notice of Violation, of which Cornwall Warehousing, Inc., was given due notice and an opportunity to be heard, and

WHEREAS, Cornwall Warehousing, Inc., has submitted a demolition plan and time line under which work to remedy the violation is to begin no later than February 25, 2013 and shall be completed no later than August of 2013,

NOW, THEREFORE, the Town Board hereby resolves as follows:



1. THAT the Town Board hereby confirms the said Order under Town Code §115-7 but amends it to provide that work shall commence no later than February 25, 2013, and shall be completed within sixty (60) days thereafter, and

2. THAT the Town's attorneys are directed to prepare the necessary papers for a lawsuit to be commenced against Cornwall Warehousing, Inc., in New York State Supreme Court seeking an injunction, civil penalties and recovery of expenses, with such suit to be commenced in the event that Cornwall Warehousing, Inc., fails to commence work to remedy the violation at the said property on or before February 25, 2013; and

3. THAT, in the event that Cornwall Warehousing, Inc., fails to commence work to remedy the violation at the said property on or before February 25, 2013, the Town Supervisor is hereby directed and requested to confer with the Town's engineering consultants regarding the cost of having the Town undertake demolition and clean-up work on the said property and to report back to the Town Board regarding such cost and the Town's financing options should the Town decide to undertake the work.

\_\_\_\_\_ presented the foregoing resolution which was seconded by  
\_\_\_\_\_

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

WHEREAS, under Section 25 of the Town Law, an undertaking for faithful performance is required from the Town Receiver of Taxes and other Town officials in regard to all monies or property coming into their hands, and

WHEREAS, the said undertaking is sufficient as long as it is of an amount at least equal to the amount of money received and held by the Receiver of Taxes and other officers at any one time, and

WHEREAS, the Town heretofore procured and filed such a faithful performance undertaking on behalf of the Receiver of Taxes and the said Town officials, issued by NGM Insurance Company, 220 Salina Meadows Parkway, Suite 200, PO Box 4742, Syracuse, New York, and

WHEREAS, the County has requested a formal resolution of the Town Board approving the undertaking,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board hereby formally approves the said faithful performance undertaking on behalf of the Receiver of Taxes and other Town officials as required by Section 25 of the New York State Town Law.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

SJG/ev/273061  
254-65400  
2/7/13

WHEREAS, the Town has received an application for a towing license from "Express Towing" pursuant to Chapter 137 of the Code of the Town of Cornwall, and

WHEREAS, Police Chief Todd M. Hazard has reported that the said application meets all of the Town's requirements, and he has recommended adding Express Towing to the Town's towing list,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby approve the issuance of a towing license to Express Towing and authorizes its addition to the Town's towing list.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

WHEREAS, under the provisions of Town Code Chapter 137, entitled "Towing," towing companies must submit annual Towing License Applications for review by the Town of Cornwall Police Department and approval by the Town Board, and

WHEREAS, the following Towing License Applications have been reviewed by the Town of Cornwall Police Department and found to be satisfactory: JULIAN'S AUTO, SCOTT HECHT, ECONO TOWING, 20<sup>th</sup> CENTURY TOWNING, A & R BODY SHOP, PAPLEO'S, PAT'S TOWING, MICHAEL BIGG JR., AND MICKEY BIGG'S QUALITY AUTO BODY, and

WHEREAS, the said Towing License Applications have now been submitted to the Town Board for approval,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby approve the Towing License Applications submitted by JULIAN'S AUTO, SCOTT HECHT, ECONO TOWING, 20<sup>th</sup> CENTURY TOWNING, A & R BODY SHOP, PAPLEO'S, PAT'S TOWING, MICHAEL BIGG JR., AND MICKEY BIGG'S QUALITY AUTO BODY.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

SJG/ef/272863

254-65400

2/7/13

WHEREAS, the Hudson River Valley Greenway Act (Chapter 748 of the Laws of 1991) has a legislative goal of the establishment of the "Greenway Compact," which is a process for voluntary regional cooperation and decision-making among the communities of the Hudson River Valley, and

WHEREAS, the process and programs that will comprise the Greenway Compact are still under development, and

WHEREAS, the communities of the Hudson River Valley may participate in the initiation and implementation of the process and programs that will comprise the Greenway Compact, and

WHEREAS, the Town of Cornwall is situated in the Greenway area as it was officially designated in the Hudson River Valley Greenway Act, and;

WHEREAS, the Hudson River Valley Greenway Act permits the Hudson River Valley Greenway Communities Council and the Greenway Conservancy for the Hudson Valley, Inc., to assist local communities in developing local planning and projects related to the five criteria contained in the Hudson River Valley Greenway Act, to wit: natural and cultural resource protection, regional planning, economic development (including tourism, agriculture and urban development), enhancing public access to the Hudson River and heritage and environmental education, and

WHEREAS, local communities can become eligible to receive



technical and financial assistance under the Hudson River Valley Greenway Act, and

WHEREAS, local community participation in the Greenway Compact planning process and programs is voluntary, and

WHEREAS, the Hudson River Valley Greenway Act does not supercede or change the powers that the State has previously granted local municipal governments under the New York State Constitution, the Municipal Home Rule Law or pursuant to the various municipal enabling acts.

NOW, THEREFORE IT IS HEREBY RESOLVED AS FOLLOWS:

1. THAT the Town Board supports the criteria contained in the Hudson River Valley Greenway Act and the process by which the Greenway Compact will be achieved, and

2. THAT the Town Board endorses the designation of the Town of Cornwall by the Hudson River Valley Greenway Communities Council and the Greenway Conservancy for the Hudson Valley, Inc., as a Greenway Community.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

SJG/ev/272824  
254-65400  
2/07/13



WHEREAS, the Right of the People to Keep and Bear Arms is guaranteed as an Individual Right under the Second Amendment to the United States Constitution and under the Constitution of the State of New York, and

WHEREAS, the Right of the People to Keep and Bear Arms for defense of Life, Liberty, and Property is regarded as an Inalienable Right by the People of the Town of Cornwall, Orange County, New York, and

WHEREAS, the People of the Town of Cornwall, Orange County, New York, derive economic benefit from all safe forms of firearms recreation, hunting and shooting conducted within the Town using all types of firearms allowable under the United States Constitution and the Constitution of the State of New York, and

WHEREAS, the Town Board of the Town of Cornwall, whose voting members are duly elected to represent the People of the Town of Cornwall, Orange County, New York, are duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of New York, and

WHEREAS, the New York State Assembly and the New York State Senate, being elected by the People of the State of New York, are duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of New York, and

WHEREAS, legislation recently passed by the New York Assembly and Senate infringes on the Right to Keep and Bear Arms and would ban the possession and use of firearms now employed by individual citizens for defense of Life, Liberty and Property and would ban the possession and use of firearms now employed for safe forms of firearms recreation, hunting and shooting, and

WHEREAS, the said legislation was passed hastily, without adequate time for review by legislators, and public debate or due consideration to the consequences of said legislation, and

WHEREAS, the Town Board of the Town of Cornwall believes there are many other more effective methods that would effectively, control, manage, and reduce violence in our society, such as, mental health reforms, anti-bullying programs for schools, enforcement of existing firearms laws to the fullest extent possible, and proper psychological counseling for those in need or who request it,

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. THAT the Town of Cornwall Town Board does hereby oppose the enactment of any legislation that would infringe upon the Right of the People to Keep and Bear Arms and considers such laws to be unnecessary and beyond lawful legislative authority granted to our State representatives, as there is no documented correlation between gun control measures and crime

reduction.

2. THAT a copy of this resolution be sent to President Barack Obama, Vice President Joseph Biden, Senator Charles Schumer, Senator Kristen Gillibrand, Congressman Sean Patrick Maloney, Governor Andrew Cuomo, Senator John Bonacic and Assemblywoman Annie Rabbitt.

\_\_\_\_\_ presented the foregoing resolution which was seconded by

\_\_\_\_\_,'

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

[illegible]

I, RENATA MCGEE, the Town Clerk of the Town of Cornwall, County of Orange, State of New York, do hereby certify that I have compared the preceding Resolution with the original thereof filed in my office on the \_\_\_\_ day of February, 2013 and that the same is a true and correct copy of said original and the whole thereof, as far as the same relates to the subject matters referred therein.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the seal of the Town of Cornwall this \_\_\_\_ day of  
February, 2013.

RENATA MCGEE  
Town Clerk  
Town of Cornwall

(seal)

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years, and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structures as well as the value of surrounding properties, and

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party, and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures and require good faith in obtaining a foreclosure, and

WHEREAS, the Town Board of the Town of Cornwall supports the passage of said Bills,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board hereby supports the passage of said Bills and respectfully requests that the State Representatives who represent constituents in the Town of Cornwall support the passage of said bills, and



2. That the Town Clerk is directed to send a certified copy of this resolution to Assemblyman Michael P. Kearns.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

SJG/ef/270818  
254-65400  
1/24/13

STATE OF NEW YORK:  
COUNTY OF ORANGE : ss.  
TOWN OF CORNWALL :

I, RENATA MCGEE, the Town Clerk of the Town of Cornwall, County of Orange, State of New York, do hereby certify that I have compared the preceding Resolution with the original thereof filed in my office on the \_\_\_\_\_ day of February, 2013 and that the same is a true and correct copy of said original and the whole thereof, as far as the same relates to the subject matters referred therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Cornwall this \_\_\_\_\_ day of February, 2013.

\_\_\_\_\_  
RENATA MCGEE  
Town Clerk  
Town of Cornwall

(seal)

WHEREAS, Governor Cuomo has proposed a state budget for 2013 which includes so-called "revenue enhancing" measures, and

WHEREAS, among the provisions in the Governor's proposed budget is a proposal enact legislation limiting the ability of local governments to entertain plea bargains on traffic tickets, and

WHEREAS, Governor Cuomo has proposed to add an \$80.00 per ticket surcharge to a series of traffic infractions including stopping, standing and parking violations, and

WHEREAS, many Orange County Municipalities will face a significant loss of revenue having tremendous impact on their already adopted and approved budgets if the Governor's proposal regarding traffic tickets is enacted into law,

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. THAT the Town of Cornwall Town Board urges Senators Bonacic and Larkin and Assemblywoman Rabbitt, Tenney, Gunther and Assemblymen Skoufis and Skartados to oppose any legislation to limit the ability of local municipalities to plea bargain traffic violations, and

2. THAT a copy of this resolution be sent to Senators Bonacic and Larkin and Assemblywoman Rabbitt, Tenney, Gunther and Assemblymen Skoufis and Skartados.

\_\_\_\_\_ presented the foregoing  
resolution which was seconded by

\_\_\_\_\_,'

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

SJG/ev/272821  
254-65400  
2/07/13

STATE OF NEW YORK:

: ss.

COUNTY OF ORANGE :

I, RENATA MCGEE, the Town Clerk of the Town of Cornwall, County of Orange, State of New York, do hereby certify that I have compared the preceding Resolution with the original thereof filed in my office on the \_\_\_\_\_ day of February, 2013 and that the same is a true and correct copy of said original and the whole thereof, as far as the same relates to the subject matters referred therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Cornwall this \_\_\_\_\_ day of February, 2013.

\_\_\_\_\_  
RENATA MCGEE  
Town Clerk  
Town of Cornwall

(seal)

WHEREAS, heretofore Michael Bigg, Flyer Fernandez LLC and Albert & Rosemary Mandell filed petitions under Real Property Tax Law Article 7 in New York State Supreme Court, Orange County, challenging the real property tax assessments for the properties located at 1 Briarcliff Place, 173 & 175 Bay View Avenue and 17 Noor Lane in the Town of Cornwall and more fully described on the annexed schedules prepared by Ira S. Levy, Special Counsel, and

WHEREAS, above petitioners and the Town have reached a mutually agreeable settlements,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby authorize Special Counsel to the Town to enter into and execute a settlement agreements on behalf of the Town for the assessments for above petitioners all in accordance with the annexed schedules.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

**RESOLUTION AUTHORIZING TAX  
CERTIORARI SETTLEMENT**

**WHEREAS**, petitions having been filed by the property owner, below challenging real property tax assessments on the Town's assessment roll with respect to the following parcels:

<u>Property Owner</u>	<u>Address Description</u>	<u>Year(s)</u>
<b>BIGG, MICHAEL</b>	<b>Section 9, Block 1, Lot 11.1 (1 Briarcliff Place)</b>	<b>2011</b>

**WHEREAS**, petitioner's court challenges are now pending in the Supreme Court, Orange County; and

**WHEREAS**, the Town and the property owner have reached a mutually agreeable resolution;

**NOW THEREFORE BE IT RESOLVED**, the special counsel to the Town is authorized to execute a settlement on behalf of the Town for assessments for no less than the following:

<u>Year</u>	<u>Current Assessment</u>	<u>Settlement Assessment</u>	<u>Assessment Reduction</u>
2011	768,550	547,500	221,050

**RESOLUTION AUTHORIZING TAX  
CERTIORARI SETTLEMENT**

**WHEREAS**, petitions having been filed by the property owner, below challenging real property tax assessments on the Town's assessment roll with respect to the following parcels:

<u>Property Owner</u>	<u>Address Description</u>	<u>Year(s)</u>
FLYER FERNANDEZ LLC	Section 108, Block 4, Lot 6.1, 6.2 (173 and 175 Bay View Avenue)	2011-2012

**WHEREAS**, petitioner's court challenges are now pending in the Supreme Court, Orange County; and

**WHEREAS**, the Town and the property owner have reached a mutually agreeable resolution;

**NOW THEREFORE BE IT RESOLVED**, the special counsel to the Town is authorized to execute a settlement on behalf of the Town for assessments for no less than the following:

<u>Year</u>	<u>Current Assessment</u>	<u>Settlement Assessment</u>	<u>Assessment Reduction</u>
2011	253,900	182,000	71,900
2012	253,900	194,400	59,500



**RESOLUTION AUTHORIZING TAX  
CERTIORARI SETTLEMENT**

**WHEREAS**, petitions having been filed by the property owner, below challenging real property tax assessments on the Town's assessment roll with respect to the following parcels:

<u>Property Owner</u>	<u>Address Description</u>	<u>Year(s)</u>
MANDELL, ALBERT & ROSEMARY	Section 34, Block 1, Lot 1.3 (17 Noor Lane)	2011-2012

**WHEREAS**, petitioner's court challenges are now pending in the Supreme Court, Orange County; and

**WHEREAS**, the Town and the property owner have reached a mutually agreeable resolution;

**NOW THEREFORE BE IT RESOLVED**, the special counsel to the Town is authorized to execute a settlement on behalf of the Town for assessments for no less than the following:

<u>Year</u>	<u>Current Assessment</u>	<u>Settlement Assessment</u>	<u>Assessment Reduction</u>
2011	212,150	140,000	72,150
2012	212,150	140,000	72,150

WHEREAS, the Town Board of the Town of Cornwall has engaged in collective bargaining with The CSEA, Inc., Local 1000 AFSCME, AFL-CIO, TOWN OF CORNWALL UNIT, and

WHEREAS, the terms and provisions proposed and discussed in the said collective bargaining sessions have been set forth in a draft Memorandum of Agreement between the Town and CSEA, a copy of which is attached hereto,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. THAT the Town Board does hereby approve the terms and provisions set forth in the said Memorandum of Agreement, and

2. THAT the Town Supervisor is hereby authorized to execute the said Memorandum of Agreement on behalf of the Town of Cornwall.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting \_\_\_\_\_

Randolph S. Clark, Councilman, voting \_\_\_\_\_

Elizabeth Longinott, Councilwoman, voting \_\_\_\_\_

Mary Beth Greene-Krafft, Councilwoman, voting \_\_\_\_\_

D. Kevin Quigley, Supervisor, voting \_\_\_\_\_

## MEMORANDUM OF AGREEMENT

**THIS AGREEMENT**, made and entered this \_\_\_\_ day of January 2013, by and between **THE TOWN OF CORNWALL** (hereinafter referred to as “the Town”) and **THE CSEA, INC., LOCAL 1000 AFSCME, AFL-CIO, TOWN OF CORNWALL UNIT** (hereinafter referred to as “the Union”), and

**WHEREAS**, the Town and Union are parties to a Collective Bargaining Agreement effective for the period of January 1, 2009 through December 31, 2012; and

**WHEREAS**, the Town and Union have negotiated in good faith on the terms of a successor agreement;

**NOW THEREFORE**, the Employer and the Union agree that all terms and conditions of the Collective Bargaining Agreement that expired on December 31, 2012 into a four-year successor agreement effective January 1, 2013 and terminating on December 31, 2016, except as modified by the following provisions:

1) Article II — Workday/Workweek shall be modified so as to include the following language at the end of the third paragraph in subsection B:

“Full time Dispatchers shall receive double time for all hours worked on a holiday.”

2) Article III — Compensation shall be modified as follows:

- Subsection A — Salary, points 1-4 shall be replaced with the following:
  1. Effective January 1, 2013 — each salary schedule shall be increased by 1.5% plus step
  2. Effective January 1, 2014 — each salary schedule shall be increased by 1.5% plus step
  3. Effective January 1, 2015 — each salary schedule shall be increased by 1.5% plus step
  4. Effective January 1, 2016 — each salary schedule shall be increased by 1.5% plus step
- Each step of the Longevity schedule in subsection B shall be increased by \$100.00.

3) Article IV — Leaves With Pay shall be modified so as to include the following language at the end of subsection A.1 – Sick Leave:

“Employees who are absent from work for four (4) consecutive days shall be required to submit a doctor's note.”

4) Article VI — Hospitalization and Retirement shall be modified as follows:

- The second sentence of subsection C shall be replaced by the following language:  
“In order to encourage this employee action, the Town will provide a bonus of \$1,000 or \$700 for the discontinuance of family or individual coverage respectively for each twelve (12) month period.”
- Subsection D shall be replaced by the following language:  
“Effective upon ratification, the Town will provide the EBF Gold-12 vision plan.”

5) The following shall be added to the Agreement:

“Article X – Drug and Alcohol Testing

The Town of Cornwall Policy on Drug and Alcohol Testing shall be annexed hereto as Appendix B and is incorporated in this Agreement as if fully stated herein.”

The Town of Cornwall Policy on Drug and Alcohol Testing to be included as Appendix B is attached hereto as Exhibit A.

6) Former Articles X and XI shall be renumbered as Article XI and XII, respectively.

The negotiating committees of both the Town and the Union shall support and endorse the Memorandum of Agreement for ratification by their respective parties. This Memorandum of Agreement is subject to the ratification of the Town and the members of the Union employed by the Town.

Once ratified by the Town and Union, the parties agree that this Memorandum of Agreement shall have the full force and effect of the Collective Bargaining Agreement between the parties.

AGREED TO:

FOR THE TOWN

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FOR THE UNION

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